

Remarks/Arguments

In the non-final Office Action dated December 28, 2007, it is noted that: claims 1-18 are pending; claims 1-18 stand rejected; and claims 1, 7, 13, and 16 are independent.

The claims have been amended to remove reference designators. Additionally, the independent claims have been amended to include a feature similar to, wherein the enhancing includes converting the incoming call to text and displaying the text. The amendments are supported by the original disclosure and claims. No new matter is entered.

Rejection of Claims 1-2, 5, 7-8, 11, 13-14 and 16-17 under 35 U.S.C. §102

Claims 1-2, 5, 7-8, 11, 13-14 and 16-17 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,766,176 by Gupta et al. (hereinafter "Gupta"). This rejection is respectfully traversed.

Independent claims 1, 7, 13 and 16 each include a feature similar to: wherein the enhancing includes converting the incoming call to text and displaying the text.

It is admitted on page 4 of the Office Action that Gupta fails to teach at least the above feature. Thus, it is respectfully requested the 35 U.S.C. §102 rejection be withdrawn.

Rejection of Claims 3-4, 9-10, 15 and 18 under 35 U.S.C. §103

Claims 3-4, 9-10, 15 and 18 stand rejected under 35 U.S.C. §103 as allegedly being unpatentable over Gupta in view of McIntosh et al. (US 6,639,987)(hereinafter "McIntosh"). This rejection is respectfully traversed.

The Office Action points to McIntosh as allegedly showing the features of: wherein the enhancing includes converting the incoming call to text and displaying the text.

The independent claims, as amended, each recite a similar feature.

On page 4 of the Office Action col. 3, lines 55-63 of McIntosh is pointed to as allegedly showing this feature which is lacking in Gupta. However, a review of McIntosh finds only a discussion of a keypad 16 allowing a user of the device to enter data such as phone numbers and text memos which are displayed. There is no description or

even suggestion of applicant's claimed feature of the enhancing includes converting the incoming call to text and displaying the text.

Thus, contrary to the assertions of the Office Action McIntosh fails to teach the above mentioned features.

Furthermore, the primary reference Gupta fails to even suggest the enhancing of an incoming call includes converting the incoming call to text and displaying the text. Therefore, just for argument sake, even if McIntosh mentioned converting voice to text, there is no suggestion whatsoever in Gupta of an enhancing the incoming call to make it more understandable by a recipient of the incoming call where the detected ambient noise level is greater than a predetermined threshold noise level, wherein the enhancing includes converting the incoming call to text and displaying the text.

Both Gupta and McIntosh are silent on the above mentioned feature, therefore it is respectfully requested the rejection of each of the independent claims 1, 7, 13 and 16 be withdrawn.

Each of the dependent claims depends from, and inherits the features of, the respective independent claim, while reciting additional distinguishing features. Therefore, it is respectfully submitted the dependent claims are likewise allowable over the cited references.

The reference Lowe (US 2004/0229568) as applied to claims 6 and 12 does not cure the deficiencies of the combination of Gupta and McIntosh.

Conclusion

In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance. Reconsideration and allowance of all the claims are respectfully solicited. If, however, the Examiner believes that there are any unresolved issues requiring further action, it is requested that the Examiner contact the applicant's attorney at (914) 333-9652, so that a mutually convenient date and time for a telephonic interview may be scheduled for resolving such issues as expeditiously as possible.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge

any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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